

REMARKS

Claims 20-26 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wischerop et al. (US 5,955,951) in view of Kovesdi et al. (US 2003/0155413). Claim 27 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kovesdi et al. (US 2003/0155413) in view of Wischerop (US 5,955,951).

Claims 20-28 have been cancelled without prejudice. Claims 29-61 have been added above to claim the features recited therein.

Claim 29 claims "a controller configured, in response to the radio frequency tag reader reading first information from a first radio frequency tag, to control the radio interface to transmit a message to a first remote server, and the controller being configured, in response to the radio frequency tag reader reading second information from a second radio frequency tag, to control the radio interface to transmit a message to a second remote server."

Support for claim 29 can be found in the International Application on page 8, lines 9 to 23; page 3, line 14 to page 4, line 2; page 9, lines 7 to 12; and page 10, lines 20 to 24.

Wischerop discloses a reusable EAS (electronic article surveillance)/ID tag 28 and a detaching unit 26 that functions as a data reader and writer with respect to the tag 28 (column 4, lines 48 to 53). The tag 28 comprises an RFID chip 64 that is capable of storing multi-bit identification data and emitting an identification signal corresponding to the stored

data in response to a radio frequency interrogation signal (column 5, lines 56 to 60).

The detaching unit 26 includes a housing 82. A nesting area 84 is provided at a top surface of the housing 82. A mechanically actuatable switch 86 is mounted in a nesting area 84 which provides an indication that a tag 28 has been positioned in a nesting area (column 7, lines 19 to 25). When a tag 28 is positioned in a nesting area 84, the switch 86 provides a signal to a control circuit 92 which causes receipt/transmit circuitry 96 and an antenna 94 to transmit an interrogation signal to stimulate the RFID transponder of the tag to generate an identification signal (column 8, lines 17 to 28).

When the identification signal is received, the control circuit 92 forwards the identifying data to a point-of-sale terminal 22. The point-of-sale terminal determines whether the detaching unit 26 should operate to remove the tag from the article of merchandise that it is attached to. If the point-of-sale terminal 22 determines that the proposed sale is a valid transaction, it will transmit to the detaching unit a signal indicating that the attaching unit should remove the EAS/ID tag 28 (column 8, lines 31 to 43).

Kovesdi discloses a system capable of reading machine-readable labels from physical objects (see the abstract). A personal mobile device 207 is provided that comprises capture circuitry 203 that is adapted to respond to the labels. The capture circuitry may be, for example, an RFID reader (paragraph [0041]). Labels representing objects may be identified and

translated into object identifiers which are then bound to media content that the author records for that object identifier (paragraph [0017]). In a playback mode, the authored content is played when one of the above mentioned labels is read and whose object identifier matches a stored identifier (paragraph [0017]).

Wischerop does not disclose "[a]n apparatus, comprising ... a controller configured, in response to [a] radio frequency tag reader [of the apparatus] reading first information from a first radio frequency tag, to control [a] radio interface to transmit a message to a first remote server, and the controller being configured, in response to the radio frequency tag reader reading second information from a second radio frequency tag, to control the radio interface to transmit a message to a second remote server", as required by attached claim 29.

As mentioned above, the detaching unit 26 (which the examiner appears to be considering to be equivalent to the "apparatus" of the claim) forwards identifying data to a point-of-sale terminal 22 when it has read an EAS/ID tag 28. The detaching unit 26 does not transmit data to any additional apparatus. For example, see column 8, lines 30 to 40 and Fig. 2 of Wischerop which indicates that the detaching unit 26 is only directly connected to the point-of-sale terminal 22.

In embodiments of the invention, an apparatus transmits a message to a server after a radio frequency tag has been read by the apparatus. The message that the server is sent to depends upon the radio frequency tag that is read; in response

to reading a first radio frequency tag, the apparatus transmits a first message to a first server; in response to reading a second radio frequency tag, the apparatus transmits a second message to a second server.

In contrast to embodiments of the invention, Wischerop teaches that all of the data transmitted by the detaching unit 28 (i.e. the "identifying data") should be transmitted to the same place (the point-of-sale terminal 22). Wischerop therefore teaches directly away from embodiments of the invention as claimed in claim 29.

Kovesdi does not appear to be any more relevant to subject matter of independent claim 29 than Wischerop. Further, there does not appear to be anything that is disclosed in Kovesdi that can be considered to be "[a]n apparatus, comprising ... a controller configured, in response to [a] radio frequency tag reader [of the apparatus] reading first information from a first radio frequency tag, to control [a] radio interface to transmit a message to a first remote server, and the controller being configured, in response to the radio frequency tag reader reading information from a second radio frequency tag, to control the radio interface to transmit a second message to a second remote server", as required by attached claim 29.

Attached claim 29 is therefore novel and non-obvious in view of the disclosures made in Wischerop and Kovesdi.

Claims 30-34 depend either directly or indirectly from claim 29 and thus include all the limitations of claim 29. Thus,

claims 30-34 are believed to be allowable for at least the reasons given for claim 29.

Support for claims 30-34 can be found in can be found in the International Application. In particular, support for claim 30 can be found on page 3, lines 15 to 21. Support for claim 31 can be found on page 9, lines 7 to 9. Support for claim 32 can be found on page 10, line 25 to page 11, line 3. Support for claim 33 can be found on page 10, lines 17 to 20. Support for claim 34 can be found on page 9, lines 20 to 26.

Claim 35 claims "control means for controlling, in response to the reading means reading first information from a first radio frequency tag, the radio interface means to transmit a message to a first destination, and the control means being for controlling, in response to the reading means reading second information from a second radio frequency tag, the radio interface to transmit a message to a second destination".

Support for claim 35 can be found in the International Application on page 8, lines 9 to 23; page 3, line 14 to page 4, line 2; page 9, lines 7 to 12; and page 10, lines 20 to 24.

Similar to the arguments presented above with respect to claim 29, Wischerop teaches directly away from embodiments of the invention, and Kovesdi does not appear to be any more relevant to subject matter of claim 35 than Wischerop. The features of claim 35 are not disclosed or suggested in the art of record. Attached claim 35 is therefore novel and non-obvious in view of the disclosures made in Wischerop and Kovesdi.

Claim 36 claims "a memory configured to store information identifying a first remote server ... and a radio frequency tag configured, in response to the reception of the casing by the docking port, to transmit the stored information to the apparatus, in order to enable the apparatus to transmit a message to the identified first remote server."

Support for claim 36 can be found in the International Application on page 7, lines 15 to 18; page 9, lines 7 to 12; page 10, line 20 to page 11, line 3; and page 21, lines 7 to 9.

In contrast to the subject-matter of claim 36, the EAS/ID tag 28 of Wischerop does not store any information that could be considered to identify "a first remote server" and the tag 28 is not configured "to transmit the stored information to [an] apparatus, in order to enable the apparatus to transmit a message to the identified first remote server". This is because, in Wischerop, the identifying data that is read from an EAS/ID tag 28 is always forwarded to the same place (the point-of-sale terminal 22).

It will be recognised that there would be no incentive for a person skilled in the art to modify the EAS/ID tag 28 in Wischerop in order for the tag 28 to store information identifying a first remote server. This is because the identifying data read from a tag 28 is always forwarded by the detaching unit 26 to the same place, so the introduction of such information would be a completely redundant modification to make.

Also, Kovesdi does not appear to disclose anything that comprises "a memory that is configured to store information identifying a first remote server" and "a radio frequency tag configured, in response to the reception of [a] casing [of the device] by [a] docking port [of an apparatus] to transmit the stored information to the apparatus, in order to enable the apparatus to transmit a message to the identified first remote server", as required by attached claim 36.

The subject-matter of attached claim 36 is therefore novel and non-obvious in view of the disclosures made in Wischerop and Kovesdi.

Claims 37-39 depend either directly or indirectly from claim 36 and thus include all the limitations of claim 36. Thus, claims 37-39 are believed to be allowable for at least the reasons given for claim 36.

Support for claims 37-39 can be found in can be found in the International Application. In particular, support for claim 37 can be found on page 3, lines 18 to 21. Support for claim 38 can be found on page 21, lines 7 to 9. Support for claim 39 can be found on page 8, lines 9 to 15.

Claim 40 claims "reading ... first information from the radio frequency tag of the first device ... transmitting, in response to reading the first information from the radio frequency tag ... reading ... second information from the radio frequency tag of the second device ... and transmitting, in response to reading the second information from the radio frequency tag".

Support for claim 40 can be found in the International Application on page 8, lines 9 to 23; page 3, line 14 to page 4, line 2; page 9, lines 7 to 12; and page 10, lines 20 to 24.

Similar to the arguments presented above with respect to claim 29, Wischerop teaches directly away from embodiments of the invention, and Kovesdi does not appear to be any more relevant to subject matter of claim 40 than Wischerop. The features of claim 40 are not disclosed or suggested in the art of record. Attached claim 40 is therefore novel and non-obvious in view of the disclosures made in Wischerop and Kovesdi.

Claim 41 depends from claim 40 and thus includes all the limitations of claim 40. Thus, claim 41 is believed to be allowable for at least the reasons given for claim 40.

Support for claim 41 can be found in can be found in the International Application on page 9, lines 7 to 9; and page 10, line 25 to page 11, line 3.

Claim 42 claims "a radio frequency tag reader configured ... to read a code from the radio frequency tag ... and a controller configured to determine whether the read code corresponds with a stored code ... and to perform an operation associated with the corresponding stored code."

Support for claim 42 can be found in the International Application on page 8, lines 9 to 23; page 3, line 14 to page 4, line 2; and page 9, lines 7 to 11.

The subject-matter of attached claim 42 differs from Wischerop in that the apparatus comprises a controller that is configured to determine whether a code read from a radio

frequency tag corresponds with a code stored in a memory of the apparatus, and when the read code corresponds with a stored code, to perform an operation associated with the corresponding stored code.

This is because, in Wischerop, the detaching unit 26 does not compare any of the data that is read from the EAS/ID tag 28 with data stored at the detaching unit 26; the detaching unit 26 merely forwards on the data that is read from a tag 28 to a point-of-sale terminal 22.

Further, it is noted that Wischerop states that "[i]t is accordingly an object of the invention to prevent unauthorized use of an EAS tag detaching unit" (column 2, lines 6 to 7).

In this regard, Wischerop recites that "[i]n an EAS/product identification system provided in accordance with the invention, the tag detaching unit is made subject to control by an external device, such as a point-of-sale terminal, so that wrongful or unauthorized use of the tag detacher to remove tags from articles of merchandise is inhibited or prevented" (column 3, lines 58 to 63). Column 11, lines 13 to 17 further recites that "by subjecting the tag detaching unit to control by the point-of-sale terminal, the security of the EAS system as a whole is enhanced by preventing wrongful or unauthorized removal of EAS tags by use of the detaching unit".

Wischerop, therefore, clearly teaches away from the invention because it explicitly states that the detaching unit 26 should be controlled by a point-of-sale terminal 22 for security reasons. This provides a direct incentive for a person skilled

in the art not to store codes in a memory at the detaching unit 26, and not to incorporate a controller into the detaching unit 26 that matches codes read from EAS/ID tags 28 with codes stored at the detaching unit 26.

Consequently, independent claim 42 is considered to be novel and non-obvious.

Claims 43-54 depend either directly or indirectly from claim 42 and thus include all the limitations of claim 42. Thus, claims 43-54 are believed to be allowable for at least the reasons given for claim 42.

Support for claims 43-54 can be found in can be found in the International Application. In particular, support for claim 43 can be found on page 10, lines 20 to 24. Support for claim 44 can be found on page 11, lines 4 to 17. Support for claim 45 can be found on page 11, lines 4 to 24. Support for claim 46 can be found on page 3, line 18 to page 4, line 2. Support for claim 47 can be found on page 3, lines 15 to 21. Support for claim 48 can be found on page 9, lines 13 to 14. Support for claim 49 can be found on page 9, lines 16 to 18. Support for claim 50 can be found on page 9, lines 16 to 18. Support for claim 51 can be found on page 9, lines 20 to 22. Support for claim 52 can be found on page 9, line 26 to page 10, line 1. Support for claim 53 can be found on page 3, lines 21 to 22; and page 25, lines 1 to 11. Support for claim 54 can be found on page 3, lines 21 to 22; and page 25, lines 1 to 11.

Claim 55 claims "reading ... a code from the radio frequency tag ... determining whether the read code corresponds with a

stored code ... and performing ... an operation associated with the corresponding stored code."

Support for claim 55 can be found in the International Application on page 8, lines 9 to 23; page 3, line 14 to page 4, line 2; and page 9, lines 7 to 11.

Similar to the arguments presented above with respect to claim 42, Wischerop teaches away from the invention because it explicitly states that the detaching unit 26 should be controlled by a point-of-sale terminal 22 for security reasons. The features of claim 55 are not disclosed or suggested in the art of record. Consequently, independent claim 55 is considered to be novel and non-obvious.

Claim 56 claims "a controller configured, in response to the reading of the second information from the radio frequency tag, to activate a secrecy mode by concealing the first information, such that the first information is inaccessible by an unauthorized user."

Support for claim 56 can be found in the International Application on page 8, lines 9 to 23; page 9, line 26 to page 10, line 10.

The subject-matter of independent claim 56 differs from the prior art cited by the examiner because none of the prior art documents cited by the examiner relate to activating a secrecy mode in response to reading information from a radio frequency tag. In view of this, none of the cited prior art documents are considered to be relevant to the subject matter of

independent claim 56. Independent claim 56 is therefore considered to be novel and non-obvious.

Claims 57-60 depend either directly or indirectly from claim 56 and thus include all the limitations of claim 56. Thus, claims 57-60 are believed to be allowable for at least the reasons given for claim 56.

Support for claims 57-60 can be found in can be found in the International Application. In particular, support for claim 57 can be found on Page 3, line 14 to page 4, line 2. Support for claim 58 can be found on Page 8, line 10; page 9, line 26 to page 10, line 10. Support for claim 59 can be found on Page 10, lines 10 to 15. Support for claim 60 can be found on Page 10, lines 3 to 15.

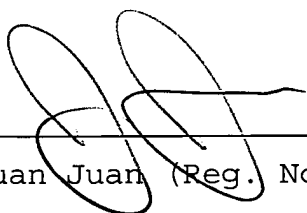
Claim 61 claims "activating ... a secrecy mode by concealing second information, such that the second information is inaccessible by an unauthorized user".

Support for claim 61 can be found in the International Application on page 8, lines 9 to 23; page 9, line 26 to page 10, line 10.

Similar to the arguments presented above with respect to claim 56, the subject-matter of independent claim 61 differs from the prior art cited by the examiner because none of the prior art documents cited by the examiner relate to activating a secrecy mode in response to reading information from a radio frequency tag. Independent claim 61 is therefore considered to be novel and non-obvious.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. If there are any additional charges with respect to this Amendment or otherwise, please charge deposit account 50-1924 for any fee deficiency. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,



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